

Article - Estates and Trusts

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§2–206.

(a) (1) In this subsection, “poverty” means:

(i) At the time of the decedent’s death, the decedent’s family household income was less than 50% of the median family income for the State as reported in the Federal Register; or

(ii) The personal representative is represented by an attorney retained through the Maryland Legal Services Corporation.

(2) The registers of wills are entitled to charge and collect for the performance of their duties the fees in this section.

(3) A register of wills may waive any fees under this section for the administration of an estate if:

(i) The real property of the decedent subject to administration in the State is:

1. To be transferred to an heir of the decedent who resides on the property; or

2. Encumbered by a lien against the property and subject to sale under Title 14, Subtitle 8 of the Tax – Property Article; and

(ii) The estate is unable to pay the fees by reason of poverty.

(b) (1) For taking probate of wills and furnishing 2 certified copies of the will and codicils, granting letters of administration and furnishing 12 certificates of letters, issuing warrants to appraise, entering on estate docket, filing elections of surviving spouses to take intestate shares, filing renunciations and disclaimers, filing and recording wills, bonds, inventories, accounts of sale, releases, administration accounts, petitions and orders, and other papers filed in the administration of decedents’ estates not otherwise specified in subsections (c) through (l) of this section, the probate fees under paragraph (2) of this subsection.

(2) Probate fees shall be assessed on the value of the probate estate at the following rates:

	If the Value of the Probate Estate Is At Least	But Less Than	The Fee Is
(i)	—	\$ 10,000	\$ 50
(ii)	\$ 10,000	\$ 20,000	\$ 100
(iii)	\$ 20,000	\$ 50,000	\$ 150
(iv)	\$ 50,000	\$ 75,000	\$ 200
(v)	\$ 75,000	\$ 100,000	\$ 300
(vi)	\$ 100,000	\$ 250,000	\$ 400
(vii)	\$ 250,000	\$ 500,000	\$ 500
(viii)	\$ 500,000	\$ 750,000	\$ 750
(ix)	\$ 750,000	\$1,000,000	\$1,000
(x)	\$1,000,000	\$2,000,000	\$1,500
(xi)	\$2,000,000	\$5,000,000	\$2,500
(xii)	\$5,000,000	—	\$2,500 plus .02% of excess over \$5,000,000

(3) Except as provided in paragraph (4) of this subsection, for purposes of determinations under paragraph (2) of this subsection, the value of a probate estate is the amount, as reflected in the administration accounts filed in the proceedings, that equals:

- (i) The sum of:
 - 1. The value of all inventories filed in the proceedings;
 - 2. All principal and income receipts; and
 - 3. All increases realized on a disposition, other than a distribution to beneficiaries, of any probate asset; less
- (ii) All decreases realized on a disposition, other than a distribution to beneficiaries, of any probate asset.

(4) If an estate proceeds through modified administration, for the purpose of determining the appropriate fee under paragraph (2) of this subsection, the value of an estate is the gross value of the probate assets reported on the final report under modified administration.

(5) (i) Except as provided in subparagraphs (ii) and (iii) of this paragraph, the register shall assess and collect the probate fee when the first administration account is filed.

(ii) If there are any additions to the value of a probate estate, as reflected in any subsequent administration account, the register shall:

1. Assess an additional fee in an amount equal to the excess of:

A. The fee as determined under paragraph (2) of this subsection based on the value of the probate estate as reflected in the currently filed administration account; over

B. The fee as determined under paragraph (2) of this subsection based on the value of the probate estate as reflected in the most recent previously filed administration account; and

2. Collect the additional fee when the subsequent administration account is filed.

(iii) If an estate proceeds through modified administration, the register shall assess and collect the probate fee when the personal representative files the final report under modified administration.

(c) For furnishing additional certificates of letters, with seal..... \$1

(d) For affixing seal of office to a transcript or other paper, if expressly required by law or a person \$1

(e) For affixing seal of office to a certificate, transcript, or other paper exemplified under the act of Congress..... \$2

(f) For passing and entering every claim or voucher against an estate of a deceased person, and endorsing certificate on each claim or voucher when passed by the court or register, for each \$3

(g) For entering papers in caveat or other controversial matter, for each side.....\$10

(h) For transcribing papers filed in caveat or other controversial proceedings when taken to higher court, per page or part of a page..... \$2

- (i) For recording papers filed in caveat or other controversial proceedings, when mandate of higher court is filed, per page or part of a page \$2
- (j) For copies of a paper or record, including plain certification and seal, per page or part of a page \$2
- (k) For photostatic or other artificially reproduced copies of a paper or record, per page or part of a page 50 cents
- (l) For receiving a will for deposit during the lifetime of the testator \$5
- (m) For all filing and entries regarding a guardianship proceeding, a single fee of \$20
- (n) For receiving and paying over an inheritance tax due the State, the register is allowed a commission of 25% of the inheritance tax.
- (o) For providing a probate information booklet and materials \$2
- (p) For all proceedings involving a foreign personal representative, a single fee of 1% of the gross value of the estate, not to exceed \$100.

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